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The University of Southern Mississippi

An Empirical Test for Overrepresentation of Black Youth Arrests in Mississippi

by

Ashley McKnight

A Thesis  
Submitted to the Honors College of  
The University of Southern Mississippi  
in Partial Fulfillment  
of the Requirements for the Degree of  
Bachelor of Science  
in the Department of Political Science

May 2015



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## Abstract

The objective of this study is to empirically test for black youth overrepresentation at the initial contact (arrest) stage of the juvenile justice system. In 2002, an amendment was made to the Juvenile Justice and Delinquency Prevention Act of 1974 which called for states to monitor disproportionate minority contact at all levels of the juvenile justice system. Arrest data from the Bureau of Justice Statistics has been gathered to determine the rate and percentage at which black youth are arrested compared to white youth. More so, youth population statistics are acquired from the U.S. Census and are converted to percentages. Black youth arrest and population percentage will be compared to determine the mean of overrepresentation. To measure implementation of policy, observation of community-based detention alternatives are analyzed. This study analyzes seven cities in Mississippi: Jackson, Gulfport, Hattiesburg, Southaven, Biloxi, Meridian, and Tupelo. Based on policy implementation theory, I hypothesized that as implementation of policy decreases, rates of overrepresentation will increase. This study finds that every city analyzed displays trends of overrepresentation across time.

Key Words: juvenile justice system, overrepresentation, community-based detention alternatives, disproportionate minority contact, black youth, policy implementation, Juvenile Justice and Delinquency Prevention Act of 1974

## Acknowledgements

A very special thank you to Dr. Ngoc Phan, my advisor and mentor. Thank you for your endless support, guidance, and encouragement to complete this project. It was a privilege to work with you and I am grateful for your time and advisement to keep me focused throughout this process. I would like to thank the Senior Honors College members and faculty for reciprocity with nobility, excellence, and service.

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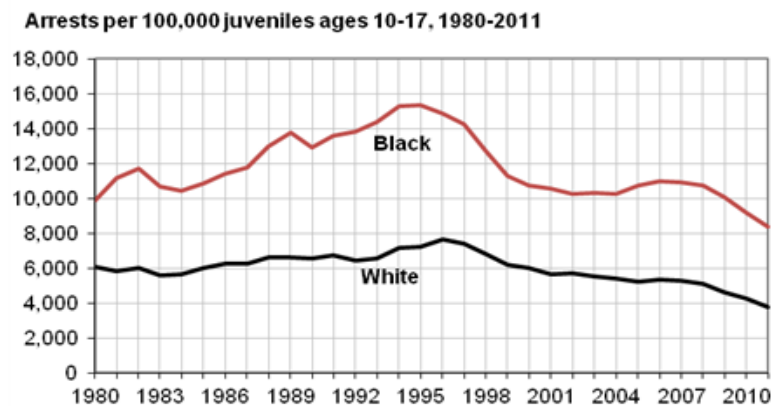
## List of Abbreviations

|       |  |
|-------|--|
| DMC   | disproportionate minority contact                  |
| OJJDP | Office of Juvenile Justice and Delinquency Prevent |
| JJDPA | Juvenile Justice and Delinquency Prevention Act    |

## Chapter 1: Introduction

The Office of Juvenile Justice and Delinquency Prevention (OJJDP) was created as a research institution from the enactment of the Juvenile Justice and Delinquency Prevention Act of 1974 (JJDPA).<sup>1</sup> According to national statistics provided by the OJJDP, the arrest rates for white youth is approximately 8,000. Black youth range to almost 16,000, nearly double that of their counterpart. The data indicated a gap where black adolescents are overrepresented at the arrest stage across all crimes. Therefore, the purpose of this thesis will be to analyze the overrepresentation of black juveniles at the arrest stage in the juvenile justice system in Mississippi.

Figure 1



Source: OJJDP Statistical Briefing Book. Online. Available: [http://www.ojjdp.gov/ojstatbb/crime/JAR\\_Display.asp?ID=qa05260](http://www.ojjdp.gov/ojstatbb/crime/JAR_Display.asp?ID=qa05260). February 25, 2014.

The juvenile justice system has been plagued with controversy over the disproportionate number of minority youth within the system. Research has shown that there can be a disparity in juvenile processing at almost every stage of the juvenile justice

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<sup>1</sup> Robert Knox, Don Anthony Woods, and G. Solomon Osho, "Is the United States Juvenile Justice System Working: An Empirical Investigation from the Life Course Approach," *Journal of Public Administration & Governance* 3, no. 1 (2013), 145.

system from initial arrest to incarceration.<sup>2345</sup> Through the research, disproportionate minority contact is defined as when a “...large number of minority youth come into contact with the juvenile justice system in relation to their representation in the general population.”<sup>6</sup> Similarly, overrepresentation is when “a larger portion of a particular group is present at various stages within the juvenile justice system than would be expected based on their proportion in the general population.”<sup>7</sup> However the concept of overrepresentation can encompass a multiplicity of areas both in juvenile justice, criminal justice, and police contact. For example, there can be a disparity in arrests, hearings, detention placement, and among other states. In 1993, black youth made up 15% of the U.S. population, but 28% in youth arrests.<sup>8</sup> In 2007-2010, a study in Boston, Massachusetts found that blacks made up two thirds of those who were stopped and searched by police, even though they only made up a quarter of the city’s population.<sup>9</sup> This provides evidence that disparity encompasses not only in juveniles, but also adults.

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<sup>2</sup> Peter J. Benekos, Alida V. Merlo, and Charles M. Puzzanchera, “Youth, Race, and Serious Crime: Examining Trends and Critiquing Policy,” *International Journal of Police Science & Management* 13, no. 2 (2011), 132.

<sup>3</sup> Alex R. Piquero, “Disproportionate Minority Contact,” *The Future of Children* 18, no. 2 (2008), 60.

<sup>4</sup> Michael Leiber, Donna Bishop, and Mitchell B. Chamlin, “Juvenile Justice Decision-Making Before and After the Implementation of the Disproportionate Minority Contact (DMC) Mandate,” *JQ: Justice Quarterly* 28, no. 3 (2011), 478.

<sup>5</sup> Nancy Rodriguez, “Concentrated Disadvantage and the Incarceration of Youth: Examining How Context Affects Juvenile Justice,” *Journal of Research in Crime and Delinquency* 50, no. 2 (2013), 201, accessed September 28, 2013.

<sup>6</sup> Suman Kakar, “Understanding the Causes of Disproportionate Minority Contact: Results of Focus Group Discussions,” *Journal of Criminal Justice* 34, no. 4 (2006), 370.

<sup>7</sup> “Minority Disproportionality Exists at Various Decision Points in the Juvenile Justice System,” National Criminal Justice Reference Service, accessed February 28, 2015, <https://www.ncjrs.gov/html/ojjdp/202885/page11.html>.

<sup>8</sup> “Overrepresentation of Minorities in the Juvenile Justice System,” *The Future of Children*, accessed February 28, 2015, <http://futureofchildren.org/publications/journals/article/index.xml?journalid=55&articleid=313&sectionid=2081>

<sup>9</sup> Jess Bidgood, “Boston Police Focus on Blacks in Disproportionate Numbers, Study Shows,” *New York Times*, October 8, 2014.

According to the U.S. Census, the major categories of race include Asian, White, Black or African Americans, Native Americans or Alaska Native, Native Hawaiian or Pacific Islander.<sup>10</sup> Black or African American, identity depends on the individual person's point of view, and can be socially constructed. For example, in the black race, some individuals may be raised to identify themselves as black, while others are taught they are African American. According to Dr. Howard-Hassmann, Ron Eyerman explains that the term used to express the black identity is a generational change.<sup>11</sup> In this thesis, I will employ the term black as opposed to African American but these terms are treated as interchangeable.

## **Study Overview**

In this thesis, I examine the overrepresentation of black youth in the juvenile justice system through a theory of policy implementation. It is important to conduct this study as there have been amendments to the Juvenile Justice and Delinquency Prevention Act of 1974, to address the issue of disproportionate contact. In an attempt to control and reduce the overrepresentation of black/minority youth, Congress passed two amendments to the JJDP Act of 1974.<sup>12,13,14,15</sup> The first amendment, passed in 1988, was to address the

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<sup>10</sup> "Race," United States Census Bureau, accessed March 26, 2014, <http://www.census.gov/population/race/>.

<sup>11</sup> Rhoda E. Howard-Hassmann. Review of book *Cultural Trauma: Slavery and the Formation of African-American Identity*. *Canadian Journal of Sociology Online* (February 2003). Retrieved from <http://www.cjsonline.ca/pdf/trauma.pdf>.

<sup>12</sup> Jaya Davis and Jon R. Sorensen, "Disproportionate Minority Confinement of Juveniles: A National Examination of Black-White Disparity in Placements, 1997-2006," *Crime & Delinquency* 59, no. 1 (2013), 116.

<sup>13</sup> Michael Leiber, Donna Bishop, and Mitchell B. Chamlin, "Juvenile Justice Decision-Making Before and After the Implementation of the Disproportionate Minority Contact (DMC) Mandate," *JQ: Justice Quarterly* 28, no. 3 (2011), 461.

<sup>14</sup> Alex R. Piquero, "Disproportionate Minority Contact," *The Future of Children* 18, no. 2 (2008), 60.

<sup>15</sup> Susan A. McCarter, "Disproportionate Minority Contact in the American Juvenile Justice System: Where are We After 20 Years, A Philosophy Shift, and Three Amendments?" *Journal of Forensic Social Work* 1, no. 1 (2011), 96.

percentage of minorities that were confined within a state. The second, enacted in 2002, was a refined version which focused on minority contact at each stage in the juvenile justice system. This change was made because there was a realization that disparity could happen at any level in the system. Since its initial enactment, the act has seen a multiplicity of revisions to confront racial issues within the juvenile justice system (1988, 1992, 2002...). The act was reformed in 1992 to mandate individual states to adhere to the core requirements set out by the JJDPa in order to continue obtaining federal funding for the juvenile programs.<sup>16</sup> The core requirement that will be focused on in this study is a state's responsibility to reduce disproportionate minority contact and advancing to a system where there is better representation of all races. This is not to say that there should be more contact in other races. It is to advocate for lower arrests in all races which will lead to shrinking the overrepresentation gap. This is why this study analyzes community alternatives within Mississippi to help offset arrest rates. There are many contact stages for youth in the system, but I am focusing on the initial contact stage, or the arrest stage. This specific stage was chosen due to limitations in gathering data for concentration on other stages. However, other researchers such as Welsh, Jenkins, and Harris have conducted tests centralized on youth arrests in testing for overrepresentation due to recidivism.<sup>17</sup>

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<sup>16</sup> Susan A. McCarter, "Disproportionate Minority Contact in the American Juvenile Justice System: Where are We After 20 Years, A Philosophy Shift, and Three Amendments?" *Journal of Forensic Social Work* 1, no. 1 (2011), 99.

<sup>17</sup> Wayne N. Welsh, Patricia H. Jenkins, and Philip W. Harris, "Reducing Overrepresentation in Juvenile Justice: Results of Community-Based Delinquency Prevention in Harrisburg," *Journal of Research in Crime and Delinquency*, 36, no. 1 (1999), 87.

## **Importance of the Study**

This thesis provides an updated examination on the status of overrepresentation within the juvenile justice system by focusing on Mississippi. The OJJDP provides grants to states to aid in decreasing overrepresentation of minorities. Disparity can be found at the first level of contact and goes throughout the processing stages of the system. The implication of overrepresentation and disproportionate minority contact has led to a federal mandate that binds states to address overrepresentation and lower the rates at which minority juveniles come in contact with the system. To encourage states participation, compliances, and adherence, the initiative was changed to be a core requirement set out by the JJDP. This makes addressing the issue a priority for states, and funding for prevention programs will be based upon their efforts in DMC reduction. If states do not comply with core requirements it affects 25% of the state's funding for juvenile justice programs.<sup>18</sup> In conducting this study I examine overrepresentation in Mississippi and evaluate Mississippi's implementation.

## **Chapter 2: Literature Review**

This literature review will consist of five elements 1) the juvenile justice system and who is most likely to be in it, 2) the representation of black youth, 3) race in regards to the system and police contact, 4) the aspect of economics in processing, and 5) this studies contribution to the literature on black youth overrepresentation. These points will analyze the main ideas within the current literature on juveniles and the juvenile justice system.

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<sup>18</sup> Susan A. McCarter, "Disproportionate Minority Contact in the American Juvenile Justice System: Where are We After 20 Years, A Philosophy Shift, and Three Amendments?" *Journal of Forensic Social Work* 1, no. 1 (2011), 100.

## Juvenile Justice System and Its Occupants

The juvenile justice system has been in operation since the 1900's.<sup>19</sup> Its original objective was to separate children from adult inmates, and rehabilitate children as opposed to punishing them.<sup>20</sup> For example, there were programs put in place to counteract delinquent behavior. These programs include anger management, family counseling, and individual counseling, among others.<sup>21</sup> More so, after school programs such as sports practice and various school clubs can also be effective in decreasing delinquent activity. These programs can occupy a child's time by placing them in constructive and positive environments. Around the time of the establishment of the first juvenile court, the doctrine of *parens patriae* was utilized. This principle allowed states to act as the child's "parent" to determine what cause of action would be best for a child in the juvenile justice system.<sup>22</sup> During Ronald Reagan's presidency, youth crime increased prompting a remodeling of the juvenile justice system's objectives. The systems goals shifted from rehabilitation to punishment.<sup>23</sup>

There are many elements that play a significant role in determining who is most likely to enter the system. Some factors that should be taken into consideration are the immediate environment and socioeconomic status of the family. One study interviewed a

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<sup>19</sup> Robert O. Dawson, "The Future of Juvenile Justice: Is It Time to Abolish the System?" *Journal of Criminal Law & Criminology* 81, no. 1 (1990), 136.

<sup>20</sup> Susan A. McCarter, "Disproportionate Minority Contact in the American Juvenile Justice System: Where are we after 20 Years, A Philosophy Shift, and Three Amendments?" *Journal of Forensic Social Work* 1, no. 1 (2011), 97.

<sup>21</sup> Robert Knox, Don Anthony Woods, and G. Solomon Osho, "Is the United States Juvenile Justice System Working: An Empirical Investigation from the Life Course Approach," *Journal of Public Administration & Governance* 3, no. 1 (2013), 147.

<sup>22</sup> Susan A. McCarter, "Disproportionate Minority Contact in the American Juvenile Justice System: Where are we after 20 Years, A Philosophy Shift, and Three Amendments?" *Journal of Forensic Social Work* 1, no. 1 (2011), 97.

<sup>23</sup> Susan A. McCarter, "Disproportionate Minority Contact in the American Juvenile Justice System: Where are we after 20 Years, A Philosophy Shift, and Three Amendments?" *Journal of Forensic Social Work* 1, no. 1 (2011), 101.



county attorney who stated that black youth are at a disadvantage as opposed to white youth because of their immediate environment. For example, an adolescent can be surrounded by drug users [their peers and even the parent(s)], which is seen as normal behavior in the neighborhood.<sup>24</sup> The contact that youths have with deviant individuals has a lasting effect on their behavior. Behavior is a learned action of what is acceptable within society. It has been tested and proven that observing criminal behavior and being exposed to unstable environments effects recidivism in a juvenile.<sup>25</sup> For these reasons, because black are most likely to live in poverty stricken areas, they will be processed differently than white youth who are from a middle class neighborhood.<sup>26</sup> Lower class youth tend to possess low income, a lack of skills, and a lack of education; whereas the middle class have stable influences and moderate income. These characteristics show that social context can impact incarceration rates.

If a youth is in a deviant environment where the home is headed by a single parent, when they appear in court, the judge knowing this information, will likely rule that the child should be taken out of the environment and placed in a secure facility.<sup>27</sup> The structure of the juvenile justice system is no longer an institution of rehabilitation for young people. Now the premise is centered on the punishment of youth. However, courts are still open to placing a juvenile into rehabilitation programs if they feel this arrangement will be successful in deterring further crime, in place of a harsher

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<sup>24</sup>Talley, Clarence R., Theresa Rajack-Talley, and Richard Tewksbury, "Knowledge and Perceptions of Juvenile Justice Officials about Selection Bias," *Journal of Criminal Justice* 33, no. 1 (2005), 71.

<sup>25</sup> Jeremy Mennis and Philip Harris, "Contagion and Repeat Offending among Urban Juvenile Delinquents," *Journal of Adolescence* 34, no. 5 (2011), 961.

<sup>26</sup> Nancy Rodriguez, "Concentrated Disadvantage and the Incarceration of Youth: Examining How Context Affects Juvenile Justice," *Journal of Research in Crime and Delinquency* 50, no. 2 (2013), 192.

<sup>27</sup> Nancy Rodriguez, "Concentrated Disadvantage and the Incarceration of Youth: Examining How Context Affects Juvenile Justice," *Journal of Research in Crime and Delinquency* 50, no. 2 (2013), 193.

punishment of incarceration. A juvenile justice worker was quoted saying “The police are more likely to arrest you if you are poor and if you are black... and you are more likely to get your case fixed if you are wealthy and white because you are more likely to be connected.”<sup>28</sup> Individuals that are connected signal establishment, stability and having average or above average resources. The issue of child neglect is another reason why justice officials would choose to either incarcerate or place a minority juvenile in residential placement. The kind of neglect that is referenced is a lack of parental supervision. There exists a correlation between negligence of caring for a child and poverty rates.<sup>29</sup> Poverty brings an inequality in economics with a lack of skill, resources, and education which can greatly affect a minor individual.

### **Representation of Black Youth**

Although juvenile arrest rates have decreased in the past years, there is still a trend of disproportionate rates of black youth.<sup>30</sup> The framework of the juvenile justice system and how it processes youth could be the cause of racial disparity in incarceration.<sup>31</sup> In a national study performed during 1997-2006 on youth placement trends in the United States, Davis and Sorensen found that since 1994, the number of black youth in placement has dropped by one fifth.<sup>32</sup> The premise in which they were

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<sup>28</sup> Talley, Clarence R., Theresa Rajack-Talley, and Richard Tewksbury, “Knowledge and Perceptions of Juvenile Justice Officials about Selection Bias,” *Journal of Criminal Justice* 33, no. 1 (2005), 72.

<sup>29</sup> Joseph Ryan, Abigail Williams, and Mark Courtney, “Adolescent Neglect, Juvenile Delinquency and the Risk of Recidivism,” *Journal of Youth & Adolescence* 42, no. 3 (2013), 455.

<sup>30</sup> Peter J. Benekos, Alida V. Merlo, and Charles M. Puzzanchera, “Youth, Race, and Serious Crime: Examining Trends and Critiquing Policy,” *International Journal of Police Science & Management* 13, no. 2 (2011), 133.

<sup>31</sup> Rodney L. Engen, Sara Steen, and George S. Bridges, “Racial Disparities in the Punishment of Youth: A Theoretical and Empirical Assessment of the Literature,” *Social Problems* 49, no. 2 (2002), 197.

<sup>32</sup> Jaya Davis and Jon R. Sorensen, “Disproportionate Minority Confinement of Juveniles: A National Examination of Black-White Disparity in Placements, 1997-2006,” *Crime & Delinquency* 59, no. 1 (2013), 115.

testing was under the disproportionate minority confinement amendment which was legislated in 1988. In the mid 1990's, there was a surge of juvenile crimes which prompted a "get tough" approach to juvenile crime.<sup>33</sup> In the current years, one method that is used by states to measure the possibility of overrepresentation in processing is called the relative rate index (RRI).<sup>34</sup> This measurement will look at minority youth contact at a variety of stages in the system. When used, this index can indicate at what levels exist the most apparent rates of disproportionality. Overrepresentation is researched in a study performed between 1980 and 2000, in the state of Iowa. The study shows that the intake, referral, and secure placement stages exhibited evidence of overrepresentation of black youth.<sup>35</sup> It has been found that the stage in which there exists the most variation is the arrest stage. When comparing approximately 10 years before and after the DMC mandate in a county in Iowa (the specific name of the county is not given), the study has shown that race plays a substantial role not only in dispositional outcomes for intake,<sup>36</sup> but also in regards to the judges that rule in juvenile cases.

In 1993, an average of 100,000 juveniles were arrested for all crimes. Out of this statistic as reported in 2008, the arrest rate for black youth was an average of 12,161,

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<sup>33</sup> Robert Knox, Don Anthony Woods, and G. Solomon Osho, "Is the United States Juvenile Justice System Working: An Empirical Investigation from the Life Course Approach," *Journal of Public Administration & Governance* 3, no. 1 (2012), 148.

<sup>34</sup> Michael Leiber, Donna Bishop, and Mitchell B. Chamlin, "Juvenile Justice Decision-Making Before and After the Implementation of the Disproportionate Minority Contact (DMC) Mandate," *JQ: Justice Quarterly* 28, no. 3 (2011), 461.

<sup>35</sup> R. Moore, and D. Kuker, "A Description and Discussion of Minority Overrepresentation in Iowa's Juvenile Justice System," (paper prepared by the Division of Criminal and Juvenile Justice Planning, Des Moines, Iowa, August, 1993).

<sup>36</sup> Leiber, Michael, Donna Bishop, and Mitchell B. Chamlin, "Juvenile justice Decision-Making Before and After the Implementation of the Disproportionate Minority Contact (DMC) Mandate," *JQ: Justice Quarterly* 28, no. 3 (2011), 478.

while Whites were recorded as 5,550.<sup>37</sup> Also, as the crime rates dropped, the trends for black and white youth were still separated by five times the difference in comparing the numbers.<sup>38</sup> As noted by Puzzanchera, in 2009 black youth made up about 16 percent of the total population on a national level, but the percentage arrested for murder averaged more than 50 percent.<sup>39</sup> More research on national statistics provides data that the placement rates for blacks declined 30 percent. White youth decreased as well, but less than black youth at 25 percent.<sup>40</sup> These numbers coincide with the declined of juvenile crime that took place in the mid-2000's.<sup>41</sup> With this descent of crime and placement rates, it helped to close the gap in overrepresentation rates, but did not close it in completely.

Research has shown that black individuals are more likely to be convicted and treated more harshly than whites.<sup>42</sup> However, according to Lizotte, this could be for a variety of reasons. First, the seriousness of the crime may not be proportionate between races. The most significant crimes are committed by blacks in lower income areas. They sustain a higher bail that in most cases cannot be met, which leads to longer sentencing.<sup>43</sup> This leads to the concept that lower class blacks are a “dangerous class[es]” and must be

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<sup>37</sup> Peter J. Benekos, Alida V. Merlo, and Charles M. Puzzanchera, “Youth, Race, and Serious Crime: Examining Trends and Critiquing Policy,” *International Journal of Police Science & Management* 13, no. 2 (2011), 136.

<sup>38</sup> Peter J. Benekos, Alida V. Merlo, and Charles M. Puzzanchera, “Youth, Race, and Serious Crime: Examining Trends and Critiquing Policy,” *International Journal of Police Science & Management* 13, no. 2 (2011), 137.

<sup>39</sup> Peter J. Benekos, Alida V. Merlo, and Charles M. Puzzanchera, “Youth, Race, and Serious Crime: Examining Trends and Critiquing Policy,” *International Journal of Police Science & Management* 13, no. 2 (2011), 139.

<sup>40</sup> Jaya Davis and Jon R. Sorensen, “Disproportionate Minority Confinement of Juveniles: A National Examination of Black-White Disparity in Placements, 1997-2006,” *Crime & Delinquency* 59, no. 1 (2013), 126.

<sup>41</sup> Peter J. Benekos, Alida V. Merlo, and Charles M. Puzzanchera, “Youth, Race, and Serious Crime: Examining Trends and Critiquing Policy,” *International Journal of Police Science & Management* 13, no. 2 (2011), 136.

<sup>42</sup> Weitzer, Ronald, “Racial Discrimination in the Criminal Justice System: Findings and Problems in the Literature,” *Journal of Criminal Justice* 24, no.4 (1996), 312.

<sup>43</sup> Lizotte, Alan J., “Extra-Legal factors in Chicago’s Criminal Courts: Testing the Conflict Model of Criminal Justice,” *Social Problems* 25, no. 5 (1978), 565.

punished accordingly.<sup>44</sup> Second, because of a lack of education, blacks that suffer from low socioeconomic status (SES) will be at a disadvantage in defending their case. This can also limit their selection for counsel.<sup>45</sup> Without having the ability to pay their bail, they will wait out their time in prison. More so, it is not likely their time in prison will be taken into consideration for shorter sentencing if they are found guilty.<sup>46</sup> Lastly, discrimination can be a product of pure prejudice. Those that are of a lower socioeconomic class will not have the same perception as an individual with a higher SES.<sup>47</sup>

## **Race**

One proposition that has been explored by researchers is the impact of race, if any, on the decision-making process. In regards to processing, the literature explains that there are three ways the association of a Black judge on a panel can impact the ruling of the other judges in juvenile cases.<sup>48</sup> First, just the presence of a Black judge can affect the unanimous ruling in favor of a minority youth. Second is the manner in which the Black judge casts their vote. This can affect those whose vote is yet undecided. Lastly it is during the deliberation process where the judge may propose information or another perspective on the argument, to influence the outcome they are most leaning towards, whether it is in favor or against the juvenile.

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<sup>44</sup> Silver, Allan, "The Demand for Order in Civil Society: A Review of some Themes in the History of Urban Crime, Police, and Riot" (University of Michigan, 1965), 4.

<sup>45</sup> Lizotte, Alan J., "Extra-Legal factors in Chicago's Criminal Courts: Testing the Conflict Model of Criminal Justice," *Social Problems* 25, no. 5 (1978), 565.

<sup>46</sup> Lizotte, Alan J., "Extra-Legal factors in Chicago's Criminal Courts: Testing the Conflict Model of Criminal Justice," *Social Problems* 25, no. 5 (1978), 565.

<sup>47</sup> Lizotte, Alan J., "Extra-Legal factors in Chicago's Criminal Courts: Testing the Conflict Model of Criminal Justice," *Social Problems* 25, no. 5 (1978), 565.

<sup>48</sup> Jonathan P. Kastellec, "Racial Diversity and Judicial Influence on Appellate Courts," *American Journal of Political Science* 57, no. 1 (2013), 171.

An examination was directed to court officials in the state of Kentucky regarding selection bias, and out of this study two views emerged.<sup>49</sup> The first view stemmed from about 50 percent of those interviewed. The opinion was that bias did not exist within the juvenile justice system. The system was thought to be upright, honest, and unbiased. A common thought among the respondents that was recorded was "...the system with all its rules, regulations and laws is above prejudice and discrimination."<sup>50</sup> One lawyer was quoted saying, "If you do the crime, then you do the time...no matter what you look like."<sup>51</sup> In the second view, the other respondents believed there was a bias within the system, and they identified that it exists at many stages. A variety of respondents were analyzed, and so the conclusions for at what stage and the severity of the selection bias varied. Those who were juvenile justice workers, for instance, felt that the majority of the prejudice took place at the early levels of the juvenile justice system (arrest, adjudication, and disposition).<sup>52</sup> This thought process is due to the early involvement that these workers have with the juveniles as/if they continue processing throughout the system. Some of the court designated workers (CDW's) were also documented with the same notion that selection bias was most dominant at the arrest of the juvenile. Many CDW's were quoted with the cohesive thought that White juveniles would most likely be arrested and let go, while Black juveniles were arrested and sent to jail.<sup>53</sup>

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<sup>49</sup> Talley, Clarence R., Theresa Rajack-Talley, and Richard Tewksbury, "Knowledge and Perceptions of Juvenile Justice Officials about Selection Bias," *Journal of Criminal Justice* 33, no. 1 (2005), 70.

<sup>50</sup> Talley, Clarence R., Theresa Rajack-Talley, and Richard Tewksbury, "Knowledge and Perceptions of Juvenile Justice Officials about Selection Bias," *Journal of Criminal Justice* 33, no. 1 (2005), 70.

<sup>51</sup> Talley, Clarence R., Theresa Rajack-Talley, and Richard Tewksbury, "Knowledge and Perceptions of Juvenile Justice Officials about Selection Bias," *Journal of Criminal Justice* 33, no. 1 (2005), 70.

<sup>52</sup> Talley, Clarence R., Theresa Rajack-Talley, and Richard Tewksbury, "Knowledge and Perceptions of Juvenile Justice Officials about Selection Bias," *Journal of Criminal Justice* 33, no. 1 (2005), 72.

<sup>53</sup> Talley, Clarence R., Theresa Rajack-Talley, and Richard Tewksbury, "Knowledge and Perceptions of Juvenile Justice Officials about Selection Bias," *Journal of Criminal Justice* 33, no. 1 (2005), 71-73.

Racial profiling by police officers is evident in random traffic stops which target minority drivers.<sup>54</sup> The U.S. Department of Justice states racial profiling as “the erroneous assumption that any particular individual of one race or ethnicity is more likely to engage in misconduct than any particular individual of other races or ethnicities.”<sup>55</sup> In a study of the Boston Police Department, 43 percent of the searches were of Black motorists, even though Blacks only made up approximately 33 percent of the population.<sup>56</sup> Studies of many states revealed that racial profiling was becoming a growing issue. In 1996, the Supreme Court sanctioned it unlawful stop of minority motorists without a probable cause in the wake of the *Whren v. United States* Supreme Court case.<sup>57</sup> However, police prejudice against minorities is not confined to just white police officers. A study conducted by researchers Black and Reiss found 28 percent of black police officers and 79 percent of white officers, when patrolling neighborhoods that were majority black, expressing prejudice against blacks.<sup>58</sup> However, there have been observational studies that have shown police officers will arrest an individual regardless of race when patrolling poor neighborhoods. As noted by Black and Reiss, the data gathered from observational studies could be misleading due to the fact that the company of researchers may cause a police officer to “be on their good behavior” to uphold their reputation, and that of the department.<sup>59</sup>

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<sup>54</sup> Michael L. Birzer and Gwynne Harris Birzer, “Race Matters: A Critical Look at Racial Profiling, It’s a Matter for the Courts,” *Journal of Criminal Justice* 34, no. 6 (2006), 644.

<sup>55</sup> U.S. Department of Justice, Fact Sheet, “*Racial Profiling*,” 1.

<sup>56</sup> Kate L. Antonovics and Brian G. Knight, “A New Look at Racial Profiling: Evidence from the Boston Police Department,” *National Bureau of Economic Research* (2004), 25.

<sup>57</sup> Michael L. Birzer and Gwynne Harris Birzer, “Race Matters: A Critical Look at Racial Profiling, It’s a Matter for the Courts,” *Journal of Criminal Justice* 34, no. 6 (2006), 641.

<sup>58</sup> Weitzer, Ronald, “Racial Discrimination in the Criminal Justice System: Findings and Problems in the Literature,” *Journal of Criminal Justice* 24, no.4 (1996), 310.

<sup>59</sup> Weitzer, Ronald, “Racial Discrimination in the Criminal Justice System: Findings and Problems in the Literature,” *Journal of Criminal Justice* 24, no.4 (1996), 310-311.

There have been researchers who have based their discrimination findings on conflict theories which focus on the person that the juvenile comes into contact with, and their effects on the juvenile's outcome.<sup>60</sup> Researchers Werling and Cardner focused on the community, and determined the police department and its services equate to a social service, other services that were tested included EMS and the fire department. Their data was collected from the Census Department to determine the location of racial demographics.<sup>61</sup> Also, they used service information from the Houston Police Department. They found that areas where there was a large concentration of the minority population utilized police, fire, and EMS services significantly more than dominant white areas. Based on these findings, they conclude that the police have a disproportionate contact with minorities because they are constantly being called to areas where there is a large concentration of minorities.

Another premise of racial disparity in the justice system as a whole, is the notion of group conflict between races. This concept presumes that blacks pose a palpable threat to the lives of whites.<sup>62</sup> According to Kinder and Sears, this is because "of direct competition between blacks and whites for scarce resources."<sup>63</sup> Racial threat research has shown that "dominant groups use state apparatuses including the criminal law to control subordinate groups who threaten their interests."<sup>64</sup> There are three areas in which the

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<sup>60</sup> Robert L. Werling and Patricia A. Cardner, "Disproportionate Minority/Police Contact: A Social Service Perspective," *Applied Psychology in Criminal Justice* 7, no. 1 (2011), 48.

<sup>61</sup> Robert L. Werling and Patricia A. Cardner, "Disproportionate Minority/Police Contact: A Social Service Perspective," *Applied Psychology in Criminal Justice* 7, no. 1 (2011), 48.

<sup>62</sup> Donald R. Kinder and David O. Sears, "Prejudice and Politics: Symbolic Racism Versus Racial Threats to the Good Life," *Journal of Personality and Social Psychology* 40, no. 3 (1981), 415.

<sup>63</sup> Donald R. Kinder and David O. Sears, "Prejudice and Politics: Symbolic Racism Versus Racial Threats to the Good Life," *Journal of Personality and Social Psychology* 40, no. 3 (1981), 415.

<sup>64</sup> David Eitle, Stewart J. D'Alessio and Lisa Stolzenberg, "Racial Threat and Social Control: A Test of the Political, Economic, and Threat of Black Crime Hypothesis," *Social Forces* 81, no. 2 (2002), 558.



theory is tested: aggregate correlation, discerning variation in group stereotypes in time series observations, and experimentation in interdependence.<sup>65</sup> These types of studies yield conclusions that can suggest other remedies to the issue or the analysis can be indirect.<sup>66</sup> With this realization, it must be that there are other factors in place that may cause disparity in the criminal justice system such as discrimination based solely on race. Imbalance in the system is theorized to be “institutionalized and pervasive throughout the various stages of the criminal justice process.”<sup>67</sup> According to Hawkins, “non-whites will receive more severe punishment than whites for all crimes, under all conditions, and at similar levels of disproportionation over time.”<sup>68</sup>

### **Economics of Processing**

As a whole, states spend an enormous amount of money on both the juvenile and the criminal justice system. Therefore, enacted, changing, or following existing policies can have a great effect on offsetting costs. The Justice Policy Institute outlines seven points in which juvenile processing can affect the economics of a state:<sup>69</sup>

- 1) Incarcerating violent and non-violent youth can cost a state approximately \$5.7 billion per day, per child.

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<sup>65</sup> Donald R. Kinder and David O. Sears, “Prejudice and Politics: Symbolic Racism Versus Racial Threats to the Good Life,” *Journal of Personality and Social Psychology* 40, no. 3 (1981), 415.

<sup>66</sup> Donald R. Kinder and David O. Sears, “Prejudice and Politics: Symbolic Racism Versus Racial Threats to the Good Life,” *Journal of Personality and Social Psychology* 40, no. 3 (1981), 415.

<sup>67</sup> Weitzer, Ronald, “Racial Discrimination in the Criminal Justice System: Findings and Problems in the Literature,” *Journal of Criminal Justice* 24, no.4 (1996), 310.

<sup>68</sup> Darnell F. Hawkins, “Beyond Anomalies: Rethinking the Conflict Perspective on Race and Criminal Punishment,” *Social Forces* 65, no. 3 (1987), 724.

<sup>69</sup> These points have been taken from: Justice Policy Institute, “The Costs of Confinement: Why Good Juvenile Justice Policies Make Good Fiscal Sense,” (2009), 1-2.

- 2) States are relocating their funding from state residential facilities to community programs. The facilities are seen to be inefficient and expensive, while the programs are more successful and often less costly.
- 3) Litigations can become expensive if reforms are mandated by the courts.
- 4) Incarceration can have long lasting effects on youth. They are more likely to engage in recidivism due to limitations on educational reform. Youth that were placed in community programs were less likely to recidivate when compared to youth that were incarcerated.
- 5) High numbers of incarcerated youth do not necessarily lead to lower crime rates.
- 6) Community programs are the most efficient avenue to lower recidivism rates by up to 22 percent.
- 7) For each dollar that is spent in therapy for the youth or for the family, \$13 is produced to benefit the community.

These factors alone can encourage decreasing the rates at which youth enter the juvenile justice system. In 2007, Mississippi had a total of 219 youths in residential placement. The charge for each child per day was \$426.51, which totaled to \$93,405.69 a day.

### **Contribution to the Current Literature**

Many researchers have done similar studies focusing on either national or state assessments in juvenile crime rates.<sup>707172</sup> The contribution that I provide to the current

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<sup>70</sup> Peter J. Benekos, Alida V. Merlo, and Charles M. Puzzanchera, "Youth, Race, and Serious Crime: Examining Trends and Critiquing Policy," *International Journal of Police Science & Management* 13, no. 2 (2011), 135-144.

<sup>71</sup> Jaya Davis and Jon R. Sorensen, "Disproportionate Minority Confinement of Juveniles: A National Examination of Black-White Disparity in Placements, 1997-2006," *Crime & Delinquency* 59, no. 1 (2013), 123-132.

<sup>72</sup> Michael Leiber, Donna Bishop, and Mitchell B. Chamlin, "Juvenile justice Decision-Making Before and After the Implementation of the Disproportionate Minority Contact (DMC) Mandate," *JQ: Justice Quarterly* 28, no. 3 (2011), 468-483.

literature is conducting a study of overrepresentation for the state of Mississippi that will be available to the public. I focus on the local level and assess, over a specific time period, the overrepresentation of black youth. This provides a general review of the current status of Mississippi's stance on the issue. Currently it is difficult to assess the status of overrepresentation in the state of Mississippi due to the limited resources available to the public. Majority of juvenile records are, by law, protected from the general public unless they have been compiled as the product of statistical research for available awareness.

### **Chapter 3: Policy Implementation Theory**

The theory I will use for this thesis is policy implementation theory. Figure 2 shows that as a deficiency in implementing policy leads to an increased failure of achieving policy goals. This theory is utilized in issues of federal policies directed at both macro and micro-level implementation. For compliance with federal guidelines, according to Montjoy and O'Toole, it "requires that someone do something (or stop doing something) and that the action have the desired effect."<sup>73</sup> In this study, policy implementation will be measured by the enactment of community-based detention alternatives. These programs enable the re-establishment of the rehabilitative aspects that were previously used by the juvenile justice system. In the process of implementing national policies, it is not solely up to the state itself. The responsibility also falls to the lower institutions that have the most important role in regards to ensuring national policy.<sup>74</sup> In the case of juvenile handling, the lower institutions include: the police force,

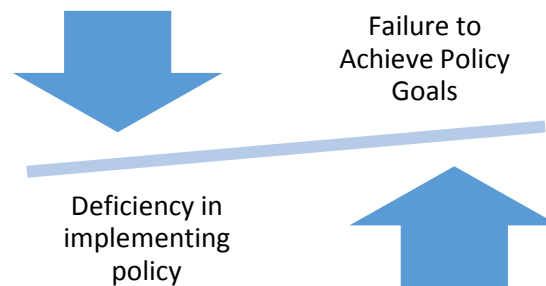
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<sup>73</sup> Robert S. Montjoy and Laurence J. O'Toole, Jr., "Toward a Theory of Policy Implementation: An Organizational Perspective," *American Society for Public Administration* 39, no. 5 (1979), 465.

<sup>74</sup> James, David R., "The Transformation of the Southern Racial State: Class and Race Determinants of Local-State Structures," *American Sociology Review* 53, no. 2 (1988), 191.

juvenile courts, juvenile housing facilities, and detention alternative programs. It is the obligation of the state to enact, change, or monitor policies in order for these local institutions to effectively achieve policy goals. My research question is, is there overrepresentation of black youth at the arrest stage in Mississippi, if so, what is being done to combat it. *I hypothesize that as a deficiency in implementing policy increases, failure to achieve policy goals will increase.* The objective of this thesis is to examine the implementation of the JJDPa of 1974's core requirement of reducing DMC in black youth. I am empirically testing whether the implementation of the act has decreased overrepresentation in arrest rates using state level data from Mississippi.

Figure 2: Policy Implementation Theory



Research by McLaughlin tells us that implementing policies span “across levels of government – from Washington to state capitals to local communities – and across agents of government – from legislative to executive to administrative units.”<sup>75</sup> It can be difficult to administer policy due to the intricacy of levels it must inhabit. In order for a policy to be successful, it must have local capacity and will.<sup>76</sup> Local capacity can be in the form of dedicated trainees, funding, or appointed officials, all of which can be appointed through the policy itself. Having the will, however, is where implementation

<sup>75</sup> McLaughlin, Milbrey Wallin, “Learning From Experience: Lessons From Policy Implementation,” *Educational Evaluation and Policy Analysis* 9, no. 2 (1987), 171.

<sup>76</sup> McLaughlin, Milbrey Wallin “Learning From Experience: Lessons From Policy Implementation,” *Educational Evaluation and Policy Analysis* 9, no. 2 (1987), 172.

can be challenging. A policy cannot change a person's motivation or determination for the controlling of an issue. This attitude is something that must already be in the community in order to have full support.

Implementation, as defined by Matland, is "The carrying out of a basic policy decision, usually incorporated in a statute but which can also take the form of important executive orders or court decisions..."<sup>77</sup> In the literature of policy implementation, the two main areas of research are top-down and bottom-up.<sup>78</sup> First, the top-down theory has three elements that effect successfulness: tractability of the problem, ability of the statute to structure implementation, and the non-statutory variables affecting implementation.<sup>79</sup> In addition, these elements can be broken down into sixteen variables that can impact the achievement of the aims set out in the policy. This lack of parsimony is why policy implementation studies are so complex. Second, in bottom-up compliance, there are two levels executing government procedure: government officials enact a policy that will influence local institutions to apply it (macro-implementation), and the local institutions that generate agendas to follow the policy (micro-implementation).<sup>80</sup> Government officials cannot directly affect a local organizations compliance, which in turn can result in the state's failure to accomplish the policy's goals. More so, if the local governments cannot adapt a policy to their specific "local conditions," the compliance will be low.<sup>81</sup>

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<sup>77</sup> Matland, Richard E., "Synthesizing the Implementation Literature: The Ambiguity-Conflict Model of Policy Implementation," *Journal of Public Administration Research and Theory* 5, no. 2 (1995), 146.

<sup>78</sup> Matland, Richard E., "Synthesizing the Implementation Literature: The Ambiguity-Conflict Model of Policy Implementation," *Journal of Public Administration Research and Theory* 5, no. 2 (1995), 146.

<sup>79</sup> Matland, Richard E., "Synthesizing the Implementation Literature: The Ambiguity-Conflict Model of Policy Implementation," *Journal of Public Administration Research and Theory* 5, no. 2 (1995), 146.

<sup>80</sup> Berman, Paul, "The Study of Macro and Micro Implementation of Social Policy," *Public Policy* (1978), 10.

<sup>81</sup> Matland, Richard E., "Synthesizing the Implementation Literature: The Ambiguity-Conflict Model of Policy Implementation," *Journal of Public Administration Research and Theory* 5, no. 2 (1995), 146.

This thesis will focus on a bottom-up model and micro implementation of policy, since it is important to understand variables at the micro level to understand the success or failure of a policy.

### **Implications of Theory**

Table 1 breaks down the implications of policy implementation theory as it will be used for this thesis. The policy that will be evaluated is the JJDP A of 1974. More specifically, the reduction of DMC which was a core requirement for states to follow. However, as stated before, the success of a state is based on the implementation of community-based detention alternatives. The DMC requirement was put in place in order to combat the overrepresentation of black youth at different stages of the juvenile justice system. The measurement of implementation will be the community-based detention alternatives created to offset overrepresentation. I will also analyze overrepresentation by comparing the percentage of black youth arrest, to their percentage in the general population.

Table 1: Implications of Theory

|  |
|--|
| <b>Policy Implementation Theory</b>                                |
| <b>Juvenile Justice and Delinquency<br/>Prevention Act of 1974</b> |
| <b>Disproportionate Minority Contact<br/>(core requirement)</b>    |
| <b>States (police force, the courts,<br/>housing facilities)</b>   |
| <b>Overrepresentation</b>  |
| <b>Arrest Rates</b>  |

Kellstedt and Whitten describe four hurdles that must be cleared to determine causal relationships<sup>82</sup>:

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<sup>82</sup> Paul M. Kellstedt and Guy D. Whitten, *The Fundamentals of Political Science Research* (New York: Cambridge University Press, 2013), 55.

1. Is there a causal link between the independent variable (X) and the dependent variable (Y)?
2. Does Y cause X?
3. Is there covariation between X and Y?
4. Have you controlled for Z?

For the first hurdle, the independent variable (X) in this study is detention alternatives and the dependent variable (Y) is rates of overrepresentation. There is a link between the variables in that the programs were created specifically to reduce rates of overrepresentation. Second, the rates of overrepresentation can affect the creation of programs. If there is no disparity, laws against disproportionality will not be a priority. Similarly, if the rates are high, states would most likely take actions to reduce the trends. Third, covariation exists between X and Y because as X (implementing policy) increases, Y (overrepresentation rates) will decrease. Furthermore, as Y increases, X should increase as well. Lastly, the Z variable is what could explain the onset of overrepresentation if the presence of community programs is not enough to control overrepresentation. This measurement is beyond the scope of this paper due to the limitation of gathering data on juveniles. However, the Z variable will be further discussed in the conclusion of this thesis.

#### **Chapter 4: Research Design**

As stated before, it is a federally mandated that states take part in actively reducing disproportionate minority contact (DMC). I have employed an observational research design to examine overrepresentation rates in Mississippi. This research design delivers a view of Mississippi's progress in decreasing overrepresentation of black youth. When federal laws are lobbied passed through Congress, it is incumbent upon the state to

ratify the laws into practice. In order to measure the achievement of policy goals I collected original data and provide a quantitative test for overrepresentation.

First, data from the 2000 and 2010 United States Census Bureau is used to determine the demographics of the population, and of white and black youth within seven cities. The cities are: Jackson, Gulfport, Hattiesburg, Southaven, Biloxi, Meridian, and Tupelo. These cities have been chosen because they are the seven largest cities in Mississippi. I also use Census data for a total city population. Then I will analyze the data for white and black youth in the population. Data is also collected from the Bureau of Justice Statistics for total arrest rates or white and black youth for each city.<sup>83</sup> To be consistent with the Census population, I will focus on the years 2000 and 2010.<sup>84</sup> The difference in rates will be measured by comparing black youth's percentage within the population to their percentage in arrest. Overrepresentation will be evident if the arrest percentage is larger than that of the population.

I build upon the research of Michael Leiber in testing for minority overrepresentation. He tested for disparity at the intake, referral, judicial disposition, and placement stages in a total of eight cities.<sup>85</sup> The content for this study will focus on seven individual cities, to view the current status of minority overrepresentation in the Mississippi juvenile justice system. Leiber's research is parallel to mine in that I have collected data on city population, determined youth population along with the make-up of black youth, and have calculated the percentage of black youth within each city. More so,

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<sup>83</sup> American Indian, Native Alaskans, Asian, and Pacific Islanders have been excluded from this study due to the low number of crimes for these races.

<sup>84</sup> The year 2000 and 2010 have been chosen for observation, however, for Southaven and Tupelo, the years 2011 and 2009, respectively, has been chosen for analysis of arrest rates. This will still provide an approximate assessment for overrepresentation.

<sup>85</sup> Michael J. Leiber, "The Disproportionate Overrepresentation of Minority Youth in Secure Facilities: A Survey of Decision Makers and Delinquents," Technical Report, (1993), 6-8.



I have analyzed youth arrests for each city by race and have broken down the percentages of blacks for comparison to the population.

Second, I will gather data on the efforts made by Jackson, Gulfport, Hattiesburg, Southaven, Biloxi, Meridian, and Tupelo to reduce overrepresentation. According to Cabaniss et al., there are six common ways to reduce DMC: data review and decision-point mapping, cultural competency training, increasing community-based detention alternatives, removing decision-making subjectivity, reducing barriers to family involvement, and cultivating state leadership to legislative system-level change.<sup>86</sup> In an interview with a member of the state advisory group for The Mississippi Juvenile Justice Advisory Committee they were quoted saying,<sup>87</sup>

*More treatment and prevention and diversion programs need to be administered by the juvenile justice agency ... the JJ (juvenile justice) services in Mississippi are pretty fragmented right now. ... if all juvenile services were under one umbrella, one agency. [,] That would improve communication, teamwork, to improve the system.*

Other members of SAG were interviewed as well and a consensus emerged that it is important to get children involved in activities to keep them out of trouble.<sup>88</sup> Out of this finding, I have gathered data on community-based detention alternatives within each city. This is in alignment with the DMC literature that school or educational, prevention, and community-based strategies are effective in reducing DMC. *I expect to see a variation in*

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<sup>86</sup> Emily R. Cabaniss, et al., "Reducing Disproportionate Minority Contact in the Juvenile Justice System: Promising Practices," *Aggression & Violent Behavior* 12, no. 4 (2007), 395.

<sup>87</sup> Angela A. Robertson, R. Gregory Dunaway, and Jennifer A. Harrington, "An Assessment of Disproportionate Minority Contact in Mississippi's Juvenile Justice System Part II," 12.

<sup>88</sup> Angela A. Robertson, R. Gregory Dunaway, and Jennifer A. Harrington, "An Assessment of Disproportionate Minority Contact in Mississippi's Juvenile Justice System Part II," 12-14.

*the actual practices for each city.* However, having strategies in place shows that each city is attempting to reduce the onset of DMC.

Employing this data for this thesis will provide a documented assessment of the DMC amendment in the state of Mississippi. The original purpose of the DMC amendment was to make it a core requirement for states to address overrepresentation in the juvenile justice system at whatever stage the disparity exists. The goal of this thesis is to focus on the arrest stage of the system and focus on 7 cities in Mississippi, and evaluate the efforts to offset overrepresentation. This study, although small in geographical context, will still supply a compilation of data, and test for a disparity at the arrest stage. This research will advance the knowledge of the disproportionate minority contact amendment in regards to the state of Mississippi. More so, it will supply a study of the largest cities in Mississippi in adhering to the DMC amendment.

## **Chapter 5: Results**

The arrest data shown is subject to discrepancy due to the process in which juveniles are handled. When youth are arrested, they are transferred to an intake officer that specifically deals in juvenile justice.<sup>89</sup> The officer will then determine if legal charges will be brought against the child. If charges are not filed, youth can be sent home with a guardian, work in community service, pay for damages, or be sent to counseling.<sup>90</sup>

The data collected for this analysis will be represented in the form of charts. This will serve as a comparison for 2000 and 2010 to document the variation between the years. Parallels will be made for each city's population, arrest trends, rates of

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<sup>89</sup> "What happens if My Child is Arrested?" Cron, Israels, and Stark, <http://www.losangelesjuvenilecrimes.com/FAQ/What-Happens-if-My-Child-is-Arrested-.aspx>.

<sup>90</sup> "What happens if My Child is Arrested?" Cron, Israels, and Stark, <http://www.losangelesjuvenilecrimes.com/FAQ/What-Happens-if-My-Child-is-Arrested-.aspx>.

overrepresentation, and implementation of community-based detention alternatives.

There is a need to record the data over time to examine if the application of programs have made a difference in black youth arrest rates. By completing this study, I will be able to examine the efficiency of policy in reducing disproportionate rates. For formatting purposes, the charts in this analysis section will utilize the first letter of each city.

Table 2 outlines the independent variable, the presence of community-based detention alternative programs in each city. This table serves for 2000 and 2010's assessment of policy implementation. The presence of these alternatives for youth will serve as a substitute for detention in favor of rehabilitation. As shown in the table, only Meridian has a program in place. Weems County Mental Health Center will provide screening for children, and generate results that could explain erratic or troubled behavior in children.<sup>91</sup> More so, for children who attend public schools, the center will issue school based therapy sessions.<sup>92</sup> They also provide seminars and discussion in schools to prevent peer pressure and drug abuse in children.<sup>93</sup>

Table 2: Implementation of Policy 2000/2010

| City        | Community-Based Detention Alternative Present | Community-Based Detention Alternative Not Present | Name of Alternative |
|-------------|---|---|---------------------|
| Jackson     |   | X   |                     |
| Gulfport    |   | X   |                     |
| Hattiesburg |   | X   |                     |
| Southaven   |   | X   |                     |
| Biloxi      |   | X   |                     |

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<sup>91</sup> Weems County Mental Health Center. "Children and Youth Services."  
<http://www.weemsmh.com/default/index.cfm/services/children-and-youth/>.

<sup>92</sup> Weems County Mental Health Center. "Children and Youth Services."  
<http://www.weemsmh.com/default/index.cfm/services/children-and-youth/>.

<sup>93</sup> Weems County Mental Health Center. "Children and Youth Services."  
<http://www.weemsmh.com/default/index.cfm/services/children-and-youth/>.

|          |   |   |   |
|----------|---|---|---|
| Meridian | X |   | Weems County<br>Mental Health<br>Center |
| Tupelo   |   | X |   |

Figure 3 shows the 2000 U.S. Census population data for the cities being analyzed within Mississippi. The total population is given for context to show the difference in white and black youth demographics. The youth demographics include both male and female, and the ages of seventeen and below. Jackson and Meridian are the only two cities where there is more black youth than white youth. Therefore, all other cities display a greater population of white youth than black. Jackson has the highest amount of difference in the population of white and black youth at approximately 22,000 with black youth in the majority. Hattiesburg has the least amount of contrast between youths at 251, white being the majority. The contrast in the remaining cities spans 1,131-6,579 with whites outweighing blacks.

Figure 3

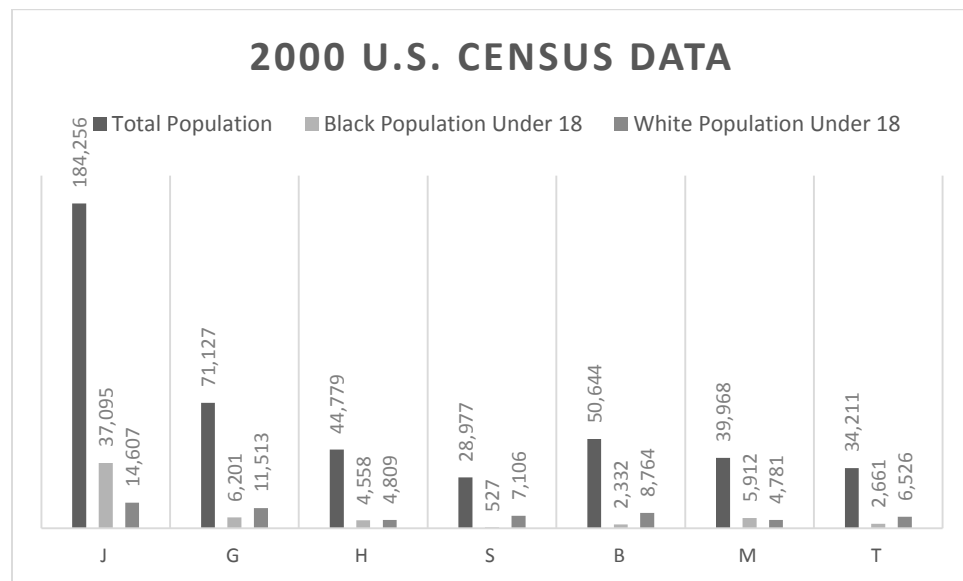


Figure 4 shows the Census data for 2010 and the population changes that have taken place since the previous Census. There has been variation in the population data for all the cities. Among some of the changes is that black youth are now the majority in Jackson, Hattiesburg, and Meridian when compared to white youth. Jackson has increased in the black youth population, and decreased in white youth. The approximate difference has increased to 29,000. The youth population in Hattiesburg became more contrasted to about 1,077.

Figure 4

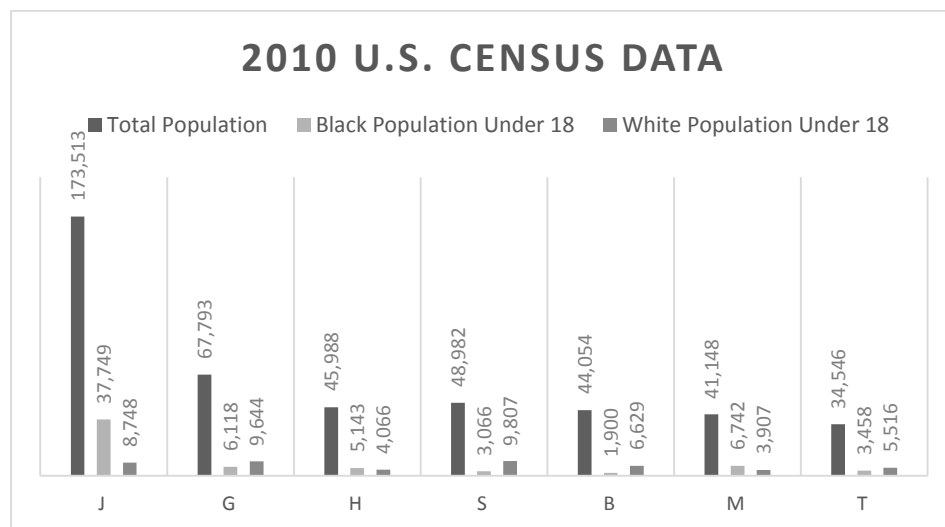


Figure 5 indicates the youth arrest summary of the seven cities for the year 2000. The races that were chosen to be analyzed are blacks and whites.<sup>94</sup> The chart gives the total of arrest for all crimes, and further breaks down to show the number of arrested youth by race. In 5 out of the 7 cities, there is a disparity in black youth arrest. The range of disproportionality spans from 186-1022 arrests more than whites.

<sup>94</sup> Asian and Indian youth crimes are not relevant to this study because the concept is to compare black and white youth, and the disparity between these specific races.

Figure 5

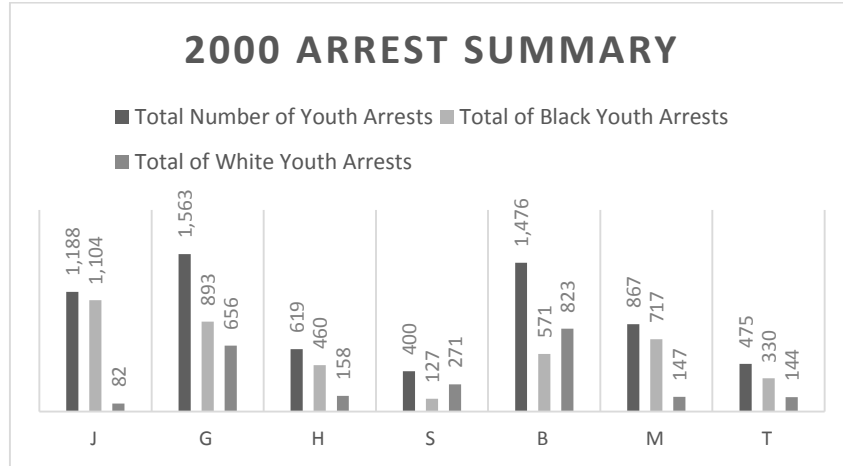
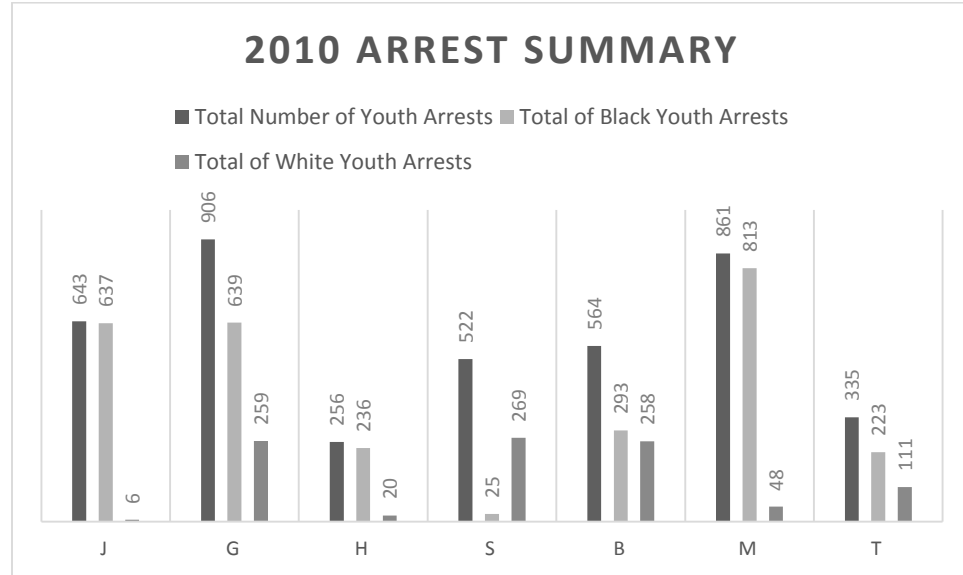


Figure 6 represents a continuation of data for 2010. All cities except for Southaven show disproportionate rates of black youth arrests. In 2000, white youth arrests were dominate. Even though arrest trends decreased significantly over time in this city, whites were still surpassed by black youth in 2010 by 35 arrests. Meridian has the highest amount of disparity with a difference of 765 arrests. Biloxi displays the lowest amount of imbalance with blacks outweighing by 35 arrests.

The absolute numbers given by figures 5 and 6 can be misleading and does not provide accurate representation disparity in black youth arrest. However, figures 7 and 8 will provide a summary of overrepresentation based on the percentage of black youth in the population compared to the percentage of black youth arrest.

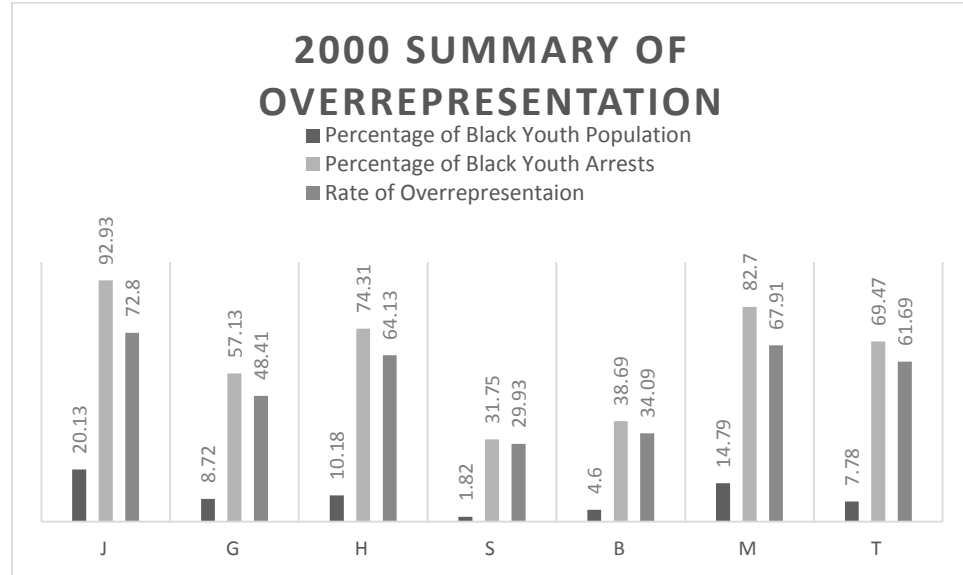
Figure 6



To determine the rates of overrepresentation, the data involving black youth in the population and in arrests have been converted to percentages and displayed in Figure 7. Overrepresentation is evident when the percentage of black youth arrest outweighs the percentage in the general population. As shown, every city analyzed possesses rates of disparity. The percentage of black youth in the population ranges from 1.82-20.13%, while the percentage of black youth arrest ranges from 31.75-92.93%. Jackson has the highest rate of disparity with 72.8%. Southaven is the lowest, displaying 29.93%.

As stated before, Meridian is the only city that has implemented the DMC policy. If the policy is effective, the average overrepresentation rate for Meridian, should be lower than the average of the cities that have not enacted the policy. As shown in the figure, Meridian's average disparity rate is 67.91%. The combined average of all other cities is 51.84%. Therefore, although Meridian has applied the DMC mandate, the program is not effective in lowering the average when compared to the combined average of disproportionate rates in the other cities.

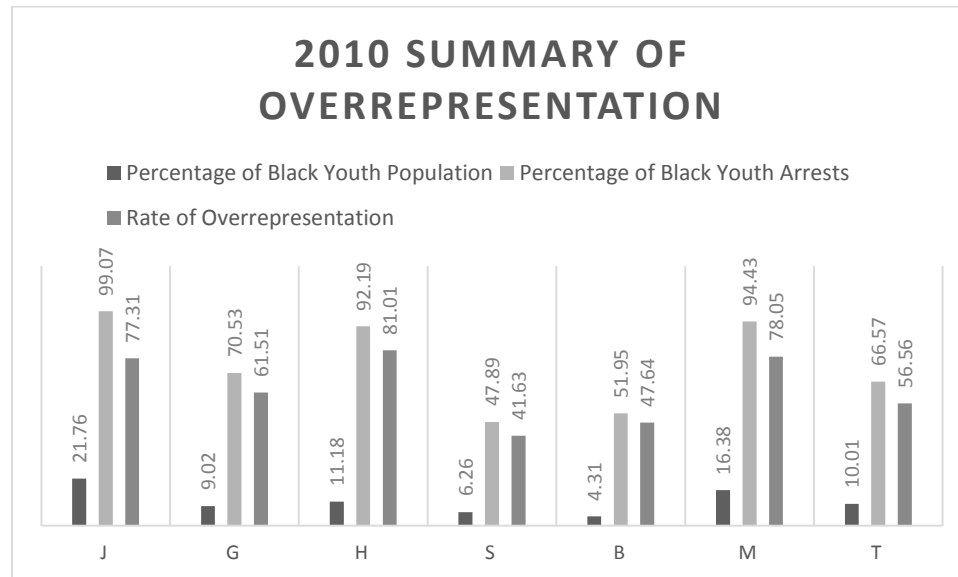
Figure 7



The data for 2010 does not show significant improvement in disproportionate rates according to Figure 8. The span of black youth population is 4.31-21.76%. However, arrest trends are 47.89-99.07%. Hattiesburg now displays the highest rates of disparity at 81.01%, while Southaven remains the lowest with 41.63%. It has been observed that Jackson, Gulfport, Hattiesburg, Southaven, and Meridian had an increase in black youth population. More so, these cities also had a growth in arrest trends. Biloxi's youth population has remained relatively the same, but the city still experienced an increase in black youth arrests inflating from 38.69% to 51.95%. The only city that experienced some improvement in arrest rates was Tupelo. Although the population increased from 7.78% in 2000, to 10.01% in 2010, the arrest trend of the population decreased by 2.9%.



Figure 8



As shown in Table 2, Meridian is still the only city with a detention alternative in place. However as figure 8 indicates, as Meridian's black youth population increased, so did the arrest percentage. Meridian's new disparity average for 2010 is 78.05% which is a 10.14% increase from 2000. The combined average for the remaining cities is 60.94%. Although this is a 9.1% increase from the previously analyzed year, the rate is still lower than Meridian's average.

## Chapter 6: Discussion

### Evaluating Research Question and Hypothesis

As stated before, the research question is, is there overrepresentation of black youth arrests in Mississippi, if so, what is being done to combat it? All of the cities examined by this study displayed much higher percentages of black youth arrests than the percentage of black youth in the populations. This is a clear example of overrepresentation. More so, based on the measurement used by this study, only one city, Meridian, has implemented a detention alternative as a means of controlling for disparity

in arrests. Therefore, in evaluating the research question, I have found evidence that overrepresentation does exist in Mississippi.

My hypothesis is, as implementation of policy decreases, failure to achieve policy goals will increase. I have established that for most of the cities, whether black youth increased or decreased, there was an influx of arrests for 2000 and 2010. For both years analyzed, only one city, Meridian, had a detention alternative in place to combat overrepresentation. However, even with this alternative, Meridian still displayed a higher average of overrepresentation than the cities that lacked an alternative. Therefore, the lack of alternatives leads to a failure to achieve the goal of reducing overrepresentation. More so, I have found that even implementing the detention alternative aspect of the policy has still shown as increase of overrepresentation rates. Although this study is a preliminary look at overrepresentation, it does find evidence of the occurrence of the issue.

### **Limitations**

This study was limited to seven cities in Mississippi due to the lack of data retrieved from the Bureau of Justice Statistics. As the number of potential cities for evaluation increased, the ability to gather arrest data for these cities decreased. This is because it is up to the local police departments to release their records to the Bureau for public viewing. Due to limitations on gathering data, the detention alternative method was the only feasible option in studying implementation in DMC policy. Arrest rates were the only form of juvenile data that could be utilized because once they are released, they can be publically reviewed. Because juveniles are under the age of 18, much information concerning them is protected under the Juvenile Protection Law.

## **Future Research**

Future research could focus on the remaining 5 ways of implementing the DMC policy. This could help to provide a broader framework into other factors that cause overrepresentation in black youth arrests. A researcher could test whether the presence of black police officers will negate black youth arrests. The training that officers receive could be reviewed to determine if there is a systematic bias being implemented towards minority youth. Also, testing other theories may help indicate a cause for disparity. There could be a difference in resources for white and black juveniles. This could encompass money, time, or education, all of which are essential in navigating the justice system. Alternative programs may be the key to the issue of overrepresentation, however this study lacked variation in the independent variable. Future researchers could broaden the scope of the study by testing the influence of all community programs both for profit and non-profit along with after school programs for children.

## **Chapter 7: Conclusion**

The effect of implementing detention alternatives in Meridian was not enough to reduce overrepresentation in black youth arrests. This suggests that Z variables may be the cause of continued rates of disparity. Other possible explanations exist within the literature such as racial threat, peer contagion, or the imbalance of the proportion of crime between the races. There is a multiplicity of factors (Z variables) that contribute to the onset of overrepresentation. However, with all the research that is being done on the issue, there is yet to be a solid grasp on a solution to the problem.

In order for there to be better control in overrepresentation rates, there must be some form of effective sanctioning to hold states accountable. If a state does not adhere

to the core requirements set out by the JJDPa, they will have 20% of their juvenile justice funding deducted.<sup>95</sup> More so, they are then obligated to use 50% of the funds remaining to arrive at a compliance status.<sup>96</sup> From 2003 to 2005, Mississippi had not consented to the DMC core requirement and therefore, received a deduction of 20% in funding for juvenile justice programs.<sup>97</sup> In the PEER 2007 report, they also found that Mississippi has not submitted required annual reports to receive federal grants since 2001.<sup>98</sup> The reports are an assessment of their efforts to adhere to the JJDPa's requirements. In addition, they have not presented their reports to the Governor which is proposed in the state plan.<sup>99</sup>

Mississippi's continued failure to address juvenile policy, is being reflected in the juvenile justice system itself. As a result, the lack of funding is aiding in the inability to deinstitutionalize status offenders, limit youth exposure to adult inmates in detainment, sight, sound, or contact, and to address the issue of disproportionate minority contact.<sup>100</sup> In order for Mississippi's juvenile justice system to advance to one that is fair in handling and representing all youth, regardless of race, they must follow the guidelines set out by the federal government in the Juvenile Justice and Delinquency Prevention Act of 1974.

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<sup>95</sup> PEER Committee, *Juvenile Justice in Mississippi: Status of the System and a Strategy for Change*, (Jackson, MS: 2007), 79.

<sup>96</sup> PEER Committee, *Juvenile Justice in Mississippi: Status of the System and a Strategy for Change*, (Jackson, MS: 2007), 79.

<sup>97</sup> PEER Committee, *Juvenile Justice in Mississippi: Status of the System and a Strategy for Change*, (Jackson, MS: 2007), 79.

<sup>98</sup> PEER Committee, *Juvenile Justice in Mississippi: Status of the System and a Strategy for Change*, (Jackson, MS: 2007), 79.

<sup>99</sup> PEER Committee, *Juvenile Justice in Mississippi: Status of the System and a Strategy for Change*, (Jackson, MS: 2007), 79.

<sup>100</sup> Children, Youth, and Families Department, *Four Core JJDPa Requirements*, [http://cyfd.org/docs/four\\_core\\_jjdp\\_a\\_requirements.pdf](http://cyfd.org/docs/four_core_jjdp_a_requirements.pdf).

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